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CRIMINAL AND JUVENILE JUSTICE PLANNING
AND STATISTICAL ANALYSIS CENTER
PAUL STAGEBERG, PH.D, ADMINISTRATOR

**SEX OFFENDER RESEARCH COUNCIL
MEETING AGENDA**

Iowa Department of Corrections
510 East 12th Street
Des Moines, IA

June 23, 2010

Present: Beth Barnhill; Tom Ferguson; Clarence Key; LeRoy Kunde; Binnie LeHew; Ron Mullen; James Saunders; Jason Smith

Staff: Paul Stageberg; Phyllis Blood; Julie Rinker-Lind

Guests: Dennis Hart; Beth Lenstra; Cathy Engel; Anna Hyatt-Crozier; Tony Phillips

Absent: Jerry Bartruff; Sen. Keith Kreiman; Marilyn Lantz; Thomas H. Miller; Mark Smith; Ben Stone; Rep. Ray Zirkelbach

I. Call to Order

Paul Stageberg called the meeting to order at 12:34 p.m. and welcomed those in attendance. Introductions were made. A quorum was present.

II. Approval of June, 23, 2010 Minutes

James Saunders moved to approve the Minutes, seconded by Tom Ferguson. The motion carried.

III. 2010 Legislative Session

Phyllis Blood provided information regarding the past Legislative Session. She reviewed some technical modifications to Iowa Code section 692A:

1. It is no longer illegal to detain someone in a brothel. Blood noted this charge was no longer used since the addition of human trafficking laws.
2. Abuse of a corpse to hide a crime is no longer considered a sex offense.
3. Enticement has changed to allow "attempt" to have the same consideration as actual enticement.
4. Fact finding is now a recognized part of defining certain sex offenses for registration.

Jim Saunders reported that other technical adjustments made to 692A pertained to the 2,000 foot rule and applying the exclusionary zone to offenders convicted out of state who have moved into Iowa. The previous law applied only to offenders convicted in the state of Iowa or under Iowa law. Some protection was expanded to day cares and libraries to deny access to registered sex offenders.

Blood noted that one item requested by the Council in the 2010 Report was not changed by the Legislature—the imbalance between Iowa Code Sections 903 and 692A in terms of special sentence and registration requirements. There are offenses that require lifetime supervision under the special sentence that do not require lifetime registration under Chapter 692A. The Council's report suggested making the special sentence the same length as registration.

During the last meeting there was a discussion regarding whether or not offenders with special sentences of lifetime supervision could be removed from supervision. This would apply only if the victim was not a minor. The percentage of people on lifetime supervision who had child/minor victims is very high. Therefore, the number of individuals that the Department of Corrections could remove from lifetime supervision is very small.

IV. Update on Sex Offender Statistics

Stageberg reported that through the end of May, new prison commitments had increased slightly compared to a year ago. Since 2006, there had been a downturn in admissions. Sex offender admissions have also increased, but not by an alarming amount. 2009 showed the lowest number of new sex offender admissions since 2000.

Blood reported that juvenile adjudications for sex offenses rose 19% in 2009 compared to 2008. The most significant rise was in Sex Abuse 2nd, a class B forcible felony. According to 692A, there is no judicial discretion regarding placement on the sex offender registry for juveniles 14 and over who are adjudicated for this offense. There was some discussion regarding the special sentence when juveniles reached age 18. Blood will conduct a more indepth review of juveniles convicted of Sex Abuse 2nd.

During a brief discussion, it was requested that more time be spent reviewing juvenile issues, taking into account brain development and providing recommendations, commentary, and predictions related to services needed. Because of rising costs for monitoring juvenile sex offenders combined with a low recidivism rate (2% or less in Iowa), a review was requested to determine whether or not this low rate could be attributed to monitoring programs currently in place.

Blood offered to provide further review related to juveniles including community programming, training components, costs, and program/provider certification.

Blood reviewed information contained in reports from the Department of Corrections regarding Special Sentence Revocations and electronic monitoring.

Jim Saunders provided an update regarding Iowa's compliance with the Adam Walsh Act. He was aware of only three states and one tribe currently in compliance with the federal act. He reported that new guidelines provided more latitude regarding retroactivity and stated that sanctions for non-compliance will be implemented with no additional extensions.

V. Research Agenda

As noted above, most research time will be allocated towards an indepth review of information related to sex offense convictions by juveniles.

VI. January 2011 Report

Blood requested the group meet again in September to review data and discuss contents of the 2011 report to the Legislature. In the interim, she will compile the information requested by the group.

VII. Other Matters

Binnie LeHew distributed information regarding sexual violence prevention efforts. Through a partnership between the Iowa Department of Public Health and the Iowa Coalition Against Sexual Assault (IowaCASA), a prevention plan was developed by a 20-member sexual violence prevention planning committee. The focus is on risk and protective factors that lead to first-time perpetration and victimization.

LeHew distributed information entitled “Goals for Sexual Violence Prevention 2009-2017” and an executive summary developed by the group. The leadership development goal lists the Sex Offender Research Council as a partner. LeHew will continue to share information with the group and any policy initiatives will be forwarded for review. LeHew agreed to provide prevention information to Blood for inclusion in the report to the Legislature.

Jim Saunders announced he has been reassigned and this will be his last meeting as a representative for the Department of Public Safety. A replacement has not yet been named.

VIII. Next Meeting

The next meeting will be held September 22, 2010, at 12:30 p.m.

IX. Adjournment

The meeting adjourned at 1:47 p.m.

Respectfully submitted,

Julie Rinker-Lind
Administrative Secretary